

## CONSENT FOR ACCESS TO PROPERTY

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Name: City of Kalamazoo

Address of Property: Various Properties in Kalamazoo, Michigan.  
See Property Descriptions below.

The City of Kalamazoo consents to officers, employees, contractors, and authorized representatives of the United States Environmental Protection Agency ("U.S. EPA") entering and having continued access beginning in August of 2011 and ending in August of 2014 to the properties identified below and for the purposes identified below:

**415 E. Stockbridge Ave., Parcel ID # 06-22-421-002 (City of Kalamazoo Public Service)**

- Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.
- Establishing an exclusion zone around designated work areas.
- Relocating and reconstructing the fence line along Portage Creek to an agreed upon location to the west of Portage Creek providing for a secure fence line around the public works facility property during work activities. Relocating the fence line to its original location upon completion of excavation/dredging activities.
- Conducting topographic/bathymetric/structural surveys of the creek, infrastructure and surrounding areas of work activity.
- Clearing and grubbing vegetation for access to Portage Creek.
- Constructing access and haul roads in and along Portage Creek.
- Installing a de-watering/bypass pumping system with associated piping and equipment in and along Portage Creek.
- Installing coffer dams in Portage Creek to isolate sediments/soils for excavation/dredging and establishment of sediment and soil erosion/migration controls.
- Conducting excavation/dredging activities of sediment/soils and primary stabilization of material prior to transporting to an off-facility staging/processing area.
- Establishing and operating a tire/truck wash facility for vehicles/equipment.
- Allowing truck, vehicle, equipment and crew members access through the facility to and from work areas.
- Conducting monitoring and sampling activities.
- Surveying and documenting pre-existing and post-dredging site conditions.
- Conducting restoration, re-vegetation and damage repairs associated with excavation/dredging activities.

**Upjohn Park, 1000 Walter St., 06-22-402-001 (City of Kalamazoo Parks and Recreation)**

- Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent

- and substantial endangerment to the public health or the environment.
- Establishing an exclusion zone around designated work areas.
- Conducting topographic/bathymetric/structural surveys of the creek, infrastructure and surrounding areas of work activity.
- Clearing and grubbing vegetation for access to Axtell and Portage Creeks.
- Constructing access and haul roads.
- Installing a de-watering/bypass pumping system with associated piping and equipment in and along both Axtell and Portage Creeks.
- Installing coffer dams in Axtell and Portage Creeks to isolate sediments/soils for excavation/dredging and establishment of sediment and soil erosion/migration controls.
- Conducting excavation/dredging activities of sediment/soils and primary stabilization of material prior to transporting to a designated staging/processing area.
- Establishing and operating a tire/truck wash facility for vehicles/equipment.
- Allowing truck, vehicle, equipment and crew members access along Axtell and Portage Creeks.
- Conducting monitoring and sampling activities.
- Surveying and documenting the existing site conditions prior to initiation of work activities.
- Conducting restoration, re-vegetation and damage repairs associated with excavation/dredging activities.

**645 E. Michigan Ave., 06-22-432-001 (City of Kalamazoo Parks and Recreation)**

- Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.
- Establishing an exclusion zone around designated work areas.
- Conducting topographic/bathymetric/structural surveys of the creek, infrastructure and surrounding areas of work activity.
- Clearing and grubbing vegetation for access to Portage Creek.
- Constructing access and haul roads.
- Installing a de-watering/bypass pumping system with associated piping and equipment along Portage Creek.
- Installing coffer dams in Portage Creek to isolate sediments/soils for excavation/dredging and establishment of sediment and soil erosion/migration controls.
- Conducting excavation/dredging activities of sediment/soils and primary stabilization of material prior to transporting to a designated staging/processing area.
- Allowing truck, vehicle, equipment and crew members access along the bank of Portage Creek.
- Conducting monitoring and sampling activities.
- Surveying and documenting the existing site conditions prior to initiation of work activities.
- Conducting restoration, re-vegetation and damage repairs associated with

excavation/dredging activities.


**140 Parkway Dr., 06-15-441-002 (City of Kalamazoo Public Services)**

- Taking any response action to address any release or threatened release of a hazardous substance, pollutant or contaminant which U.S. EPA determines may pose an imminent and substantial endangerment to the public health or the environment.
- Establishing an exclusion zone around designated work areas.
- Conducting topographic/bathymetric/structural surveys of the creek, infrastructure and surrounding areas of work activity.
- Clearing and grubbing vegetation for access to Portage Creek.
- Constructing access and haul roads.
- Installing a de-watering/bypass pumping system with associated piping and equipment along Portage Creek.
- Installing coffer dams in Portage Creek to isolate sediments/soils for excavation/dredging and establishment of sediment and soil erosion/migration controls.
- Conducting excavation/dredging activities of sediment/soils and primary stabilization of material prior to transporting to a designated staging/processing area.
- Allowing truck, vehicle, equipment and crew members access along the bank of Portage Creek.
- Conducting monitoring and sampling activities.
- Surveying and documenting the existing site conditions prior to initiation of work activities.
- Conducting restoration, re-vegetation and damage repairs associated with excavation/dredging activities.

I realize that these actions taken by U.S. EPA are undertaken pursuant to its response and enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended, 42 U.S.C. ' ' 9601-9601-9675 (1997).

This written permission is given by me voluntarily, on behalf of the City of Kalamazoo and all other co-owners of these properties, with knowledge of the right to refuse and without threats or promises of any kind.

12-19-11  
Date:

  
Name :  
Title: